

Article - Natural Resources

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§5–1801.

(a) The General Assembly finds that:

(1) On September 14, 1862, the Union and Confederate Armies fought a major battle along a seven mile stretch of South Mountain, which was the first battle of the Civil War fought on Maryland soil.

(2) The South Mountain Battlefield has been recognized as one of the 11 most endangered historic places in America for 2000.

(3) In order to preserve the land where the battle was fought and to provide the public with access to appreciate the land where the battle was fought, it is declared to be the public policy of this State to establish the first Civil War State Battlefield at South Mountain and to provide the authority and resources to develop and operate the Battlefield.

(b) (1) The Department shall manage the development and operation of the South Mountain Battlefield.

(2) The Department shall exercise the same powers of adopting regulations and managing the Battlefield that:

(i) Are exercised by the Department for a State park; and

(ii) Are consistent with the historic significance of the Battlefield.

(3) (i) The Department may set and charge fees based upon the approximate cost of operating the Battlefield to cover the cost of operating the Battlefield.

(ii) Any excess revenue at the end of a fiscal year shall be remitted to the General Fund.

(c) The South Mountain Battlefield shall encompass the property owned by the State along South Mountain between the northern portion of Washington Monument State Park in Washington and Frederick counties and the property near the town of Brownsville, south of Gathland State Park in Washington County.

(d) Subject to the availability of funds, the Governor shall appropriate the necessary funds in the State budget each year to the Department for the construction, operation, maintenance, and administration of the South Mountain Battlefield.

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